

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL JAMES HUNT,

Defendant.

4:21CR3105

ORDER

Defendant has moved to file a pretrial motion out of time and to continue the trial, (Filing Nos. 30 and 31), because Defendant's new counsel needed additional time review this case and has now decided a motion to suppress should be filed. The motions are unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motions, (Filing Nos. 30 and 31) are granted.
- 2) Defendant's motion to suppress, (Filing No. 32), is deemed timely filed.
- 3) On or before June 21, 2022, defense counsel shall file a copy of the warrant applications, including supporting affidavits, the warrants, and the warrant returns for the mid-September, 2020 warrant issued by the Lincoln County Court to search 1909 E. 4th Street, North Platte, Nebraska, and for the subsequent warrant issued for search of Defendant's residence.
- 4) The trial of this case is continued pending further order of the court.
- 5) The ends of justice served by granting the motions to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the

motion, the time between September 24, 2021 (the previously set pretrial motion deadline) and June 14, 2022 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 14th day of June, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge